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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: CAPACITORS  
ANTITRUST LITIGATION

Master File No. 3:14-cv-03264-JD

**UNITED STATES' NOTICE OF  
MOTION AND MOTION TO  
INTERVENE**

Date: October 29, 2014

Time: 9:30 a.m.

Judge: Honorable James Donato

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT the United States files this motion to be heard on Wednesday, October 29, 2014 at 9:30 a.m. before the Honorable James Donato. The United States of America, through the Antitrust Division of the U.S. Department of Justice, moves for permissive intervention under Fed. R. Civ. P. 24(b)(1)(B). A federal grand jury empanelled in the Northern District of California is investigating allegations of price fixing, bid rigging, and

1 market allocation in the capacitors industry, in violation of the Sherman Act, 15 U.S.C. § 1. This  
 2 grand jury investigation shares common questions of fact and law with the above-captioned civil  
 3 case.

4 The United States seeks to intervene in this civil case for the purpose of seeking a limited  
 5 stay of discovery. A limited stay will protect the integrity of the ongoing grand jury  
 6 investigation and facilitate an efficient and orderly resolution of the parallel criminal and civil  
 7 matters.

8 **This motion is unopposed.** The government requests that this motion be scheduled for a  
 9 hearing, if one is necessary, in advance of the usual 35 days. The United States respectfully  
 10 requests that, should the Court want a hearing on this motion, it set the hearing for October 29,  
 11 2014, the same day the Court has scheduled a Case Management Conference for the civil case.  
 12 The United States has also filed an unopposed motion to shorten time pursuant to Civil L.R. 6-3.

13 If the court sets a hearing for this motion, Trial Attorney Andrew J. Nicholson-Meade  
 14 will represent the United States for any oral argument. Pursuant to paragraph 13 of the Court's  
 15 Standing Orders for Civil Cases, the United States advises the Court that Mr. Nicholson-Meade  
 16 has less than six years experience as an attorney.

17 This motion is supported by the Memorandum in Support of United States' Motion To  
 18 Intervene, the Declaration of Jacklin Chou Lem, and the Declaration of Howard Parker. The  
 19 government requests that the Lem Declaration be filed under seal, and has accompanied the Lem  
 20 Declaration with the appropriate sealing motion, declaration, and proposed order. Finally, the  
 21 United States has also filed a Proposed Order Granting United States' Motion to Intervene.

22  
 23 Dated: October 22, 2014

Respectfully Submitted,

24  
 25 /s/ Andrew J. Nicholson-Meade  
 26 JACKLIN CHOU LEM  
 27 ANDREW J. NICHOLSON-MEADE  
 28 Trial Attorneys  
 U.S. Department of Justice  
 Antitrust Division